

**AGENDA**  
**TEXAS BOARD OF PROFESSIONAL ENGINEERS**  
**REGULAR QUARTERLY BOARD MEETING**  
**1917 SOUTH INTERSTATE 35**  
**AUSTIN, TX 78741**  
**MAY 23, 2013 – 10:30 AM**

**Call to Order.** (Daniel O. Wong, Ph.D., P.E., Presiding Officer)

1. Roll Call and Welcome Visitors..... Daniel O. Wong, Ph.D., P.E.
2. Welcome New Board Chair ..... Lance Kinney, P.E.
3. Public Comment..... Daniel O. Wong, Ph.D., P.E.
4. Welcome New Board Members..... Daniel O. Wong, Ph.D., P.E.
  - Sina K. Nejad, P.E., P.Eng.
  - R. Kyle Womack, P.E.
5. Consent Agenda ..... Daniel O. Wong, Ph.D., P.E.  
**(The following items may be acted upon under Consent Agenda and are marked with an asterisk\* on the Regular Quarterly Board Meeting Agenda)**  
*(Motion Required)*
  - February 13, 2013, Licensing Committee Minutes (**See agenda item #7**)
  - February 14, 2013, Legislative Issues Committee Minutes (**See agenda item #8**)
  - February 14, 2013, Regular Quarterly Board Meeting Minutes (**See agenda item #4**)
  - Administrative Reports and Outstanding Administrative Penalties and Dismissed Cases, Cease and Desist Order, Agreements, Injunctions/Default Judgments (**See agenda item #19**)
  - Licensing Applications. (**See agenda item #23**)

**Discuss and Possibly Approve Board Minutes:**

6. **\*(Consent Agenda)** Discuss and possibly approve minutes of the February 14, 2013, Regular Quarterly Board Meeting Minutes ..... Daniel O. Wong, Ph.D., P.E.

**Discuss and Possibly Accept Committee Minutes:** ..... Daniel O. Wong, Ph.D., P.E.

7. **\*(Consent Agenda)** February 13, 2013, Licensing Committee Minutes
8. **\*(Consent Agenda)** February 14, 2013, Legislative Issues Committee Minutes

**Discuss and Possibly Act on the following agenda items (13-12):**

9. Board Members' Activity Reports ..... Daniel O. Wong, Ph.D., P.E.  
*(Report)*
  - Ballí
  - Kannappan
  - Nejad
  - Reyna
  - Summers
  - Wong
  - Womack
10. Emeritus Members ..... Daniel O. Wong, Ph.D., P.E.
  - Activity Reports  
*(Report)*
    - Gonzalez
    - Guerra
11. Budget..... Jeff Mutscher, Finance Director
  - FY13 2<sup>nd</sup> Quarter Budget Report  
*(Report)*
  - Proposed Draft FY14 Budget  
*(Review only)*
12. Performance Measures ..... David Howell, P.E.

**Discuss and Possibly Act on Issues Regarding Committee Reports or Items on the Committee Agendas:**

13. General Issues Committee ..... Carry Baker, Acting Chair

Discuss and possibly act on the following rule adoption:

*(Motion Required)*

- §137.5 Notification of Name Change, Address Change, Employer Change, and Criminal Conviction .....C.W. Clark, P.E.

Discuss and possibly act on the following rule proposal:

*(Motion Required)*

- §131.35 Employee Training (4)(d) ..... Jeff Mutscher  
*(Motion Required)*

14. Legislative Committee..... Elvira Reyna, Acting Chair

15. Policy Advisory Opinion Committee ..... Carry Baker, Chair

- Engineering Advisory Opinion Request..... Charles Pennington, P.E.
- Present, discuss and possibly approve for consideration a response to EAOR #35 – Oil Well Production Casing String Design

*(Motion Required)*

16. Nominating Committee.....Daniel O. Wong, Ph.D., P.E.  
Chair

- Discuss and possibly act on the nomination of officers for the remainder of Fiscal Year 2013  
*(Motion Required)*
- Discuss and possibly act on the nomination of officers for Fiscal Year 2014  
*(Motion Required)*

17. Licensing Committee .....Bobby Ballí, P.E., Chair

- Personal Appearances from Licensing Applicants

*(Motion required on all personal interviews)*

**Discuss and Possibly Act on Reports or Items reported by the Executive Director:**

18. Executive Director's Report.....Lance Kinney, P.E.  
*(Report)*

- Activity Report
- CBT
- NCEES
  - NCEES nomination for a one-year term for Southern Zone Secretary/Treasurer for Sam Kannappan, P.E., TBPE Board Member  
*(Motion Required)*
  - Report on Central/Southern Zone-April 4-6, 2013
  - NCEES Motions
  - Annual Meeting-San Antonio
- Sunset Update
- Journey Toward Excellence
- Staff Attorney Report (Dewey Helmcamp III, J.D.)
- Outreach
  - Report-March 19, 2013, Webinars
  - June 6, 2013, Webinars
  - Kudos

**Discuss and Possibly Act on Enforcement/Disciplinary Matters:**

19. **\*(Consent Agenda)** Administrative Reports, Outstanding Administrative Penalties Dismissed Cases, Cease and Desist Order, Agreements, Injunctions/Default Judgments .....C.W. Clark, P.E.

20. Agreed Board Order..... Dewey Helmcamp, III J.D./  
*(Motion Required)* C.W. Clark, P.E.

1. Donatus Anyanwu, PhD., P.E. – D-31880, D-31963, B-31881 (Greer)
2. Manuel Flores, P.E. – D-34001 (Kannappan)
3. Charles O. Mbeche, P.E. – D-33368 (Summers)

4. Nikolay N. Nikolov, P.E. – D-33735 (Kannappan)
21. Consent Orders ..... C.W. Clark, P.E.  
 (Motion Required)  
SOAH Result  
 (None)  
Informal Reprimands (In accordance with Board Rule 139.31(b) individual names are not listed)
5. D-34249  
 6. D-33475  
 7. D-33853
- Non-Practice Violations
8. Brian C. Schaller, P.E. – D-34197
- Practice Violations
9. Masoud Khoshnoudi, P.E. – D-33510  
 10. Calvin J. Morgan, P.E. – D-33856  
 11. Joseph W. Steede, Jr., P.E. – D-33992
- Sanctions Against Non-License Holders
12. Paul C. Grimes, R.A. – B-33562
- Firm Registrations/Sole Proprietorship Sanctions  
 (None)

22. **Discuss, possibly act on request to reconsider Approved Board Order** ..... C.W. Clark, P.E.  
 (Motion Required)
- Floyd Ottis Lee, P.E. - D-32943

**Discuss and Possibly Act on Licensing Applications requiring board ruling:**


23. **\*(Consent Agenda)** Licensing Applications.....David Howell, P.E.  
 Vote or Reconfirm Votes Pursuant to Board Rule §133.87:
- Approved for Exams
  - Approved for Licensure
  - Exams Not Approved
  - Firms Approved
  - Not Approved for Licensure
  - Auto Not Approved for Licensure
  - Waivers – Both
  - Waivers – FE
  - Waivers—PE

**Discuss and Possibly Act on Other Matters**

24. Thank Board members for their service to TBPE.....Daniel O. Wong, Ph.D., P.E.
- G. Kemble Bennett, Ph.D., P.E.
  - Gary Raba, D.Eng., P.E.
25. Issues from Board members for future meetings.....Daniel O. Wong, Ph.D., P.E.

**Adjourn.**

The Board may meet in closed session on any agenda item listed above as authorized by the Texas Open Meetings Act, Tex. Gov't. Code Ann. Chapter 551.

 Individuals needing special accommodation should contact the Texas Board of Professional Engineers at (512) 440-7723, in a timely manner.